

Subject: FW: Sirius XM TCPA Litigation questions

Date: Friday, July 19, 2019 at 3:35:40 PM Central Daylight Time

From: Jarrett L. Ellzey

To: Victoria Morales

On 5/29/19, 10:35 AM, "Jarrett L. Ellzey" <Jarrett@hugesellzey.com> wrote:

Patrick,

I am currently on vacation with my family, but would be happy to find some time to speak with you if another member of my team is not available. Please let me know if you are available tomorrow or Friday morning. Thank you.

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On 5/29/19, 10:29 AM, "Patrick Maupin" <pmaupin@gmail.com> wrote:

Please let me know by the end of the day if someone can provide more information as I requested of Mark below, and please give an estimate of when that information might be forthcoming.

Best regards,
Patrick Maupin

On Mon, May 27, 2019 at 12:29 PM Patrick Maupin <pmaupin@gmail.com> wrote:

>

> Dear Mr. Alexander:

>

> I was in negotiation with Sirius XM's general counsel about a TCPA
> violation. They had agreed to pay me \$500, and we were discussing
> NDAs. They suddenly stopped responding to my emails. I presume this
> is because I may now fall within your certified class.

>

> Background: Earlier this year, I purchased a new Chevy Bolt. I
> received two unsolicited calls from Sirius XM to my home phone at
> 512-743-8620. The calls were from 877-201-7415, on Monday March 25,
> 2019 at 5:55 PM, and on Wednesday March 27 at 5:59 PM. This home
> phone number has been registered with the national DNC list since July
> 14, 2016. I briefly subscribed to XM Radio in 2005, but have not been
> a subscriber since that year, and have had no contact or ongoing
> business relationship with Sirius XM since 2005.
>
> Curious about what was going on with Sirius and the TCPA, I googled,
> found the website about your litigation, and read through the
> available documents. I must admit that I am mystified about the
> elephant in the room -- the question about whether someone in my
> position has an EBR with Sirius XM. For me, the answer is an
> unqualified "no" but apparently, there is some question in class
> counsel's mind about this issue, or the settlement amount would not be
> so low.
>
> I am trying to decide what I should do (accept, object, opt out), but
> frankly, the information on the settlement web page is insufficient
> for me to understand why the settlement is occurring, and the actual
> risks of not settling. As my putative attorney in this matter, please
> enlighten me as to why \$12.00, and no concession on Sirius's part to
> scrub better against the national DNC database, and no court ruling
> that what Sirius did was a violation of the law, is an outcome that is
> in my best interest.
>
> Thank you for your time and attention to this matter.
>
> Best regards,
> Patrick Maupin
> 2206 Southern Oaks Dr
> Austin, Tx 78745